



APPLICATION ACCEPTED: February 11, 2015
PLANNING COMMISSION: September 30, 2015
BOARD OF SUPERVISORS: October 20, 2015 @ 3:30 p.m.

County of Fairfax, Virginia

September 16, 2015

STAFF REPORT

APPLICATION SE 2015-LE-004

LEE DISTRICT

APPLICANT: Fatma Riahi (Fatma's Play House)

ZONING: PDH-8, NR

PARCEL: 91-2 ((13)) 56

SITE AREA: 1,560 square feet

PLAN MAP: Residential, 5-8 du/ac

PROPOSAL: To permit a home child care facility for a maximum of 12 children at any one time.

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2015-LE-004, subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances regulations, or adopted standards.

It should be noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

Bob Katai

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/



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Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

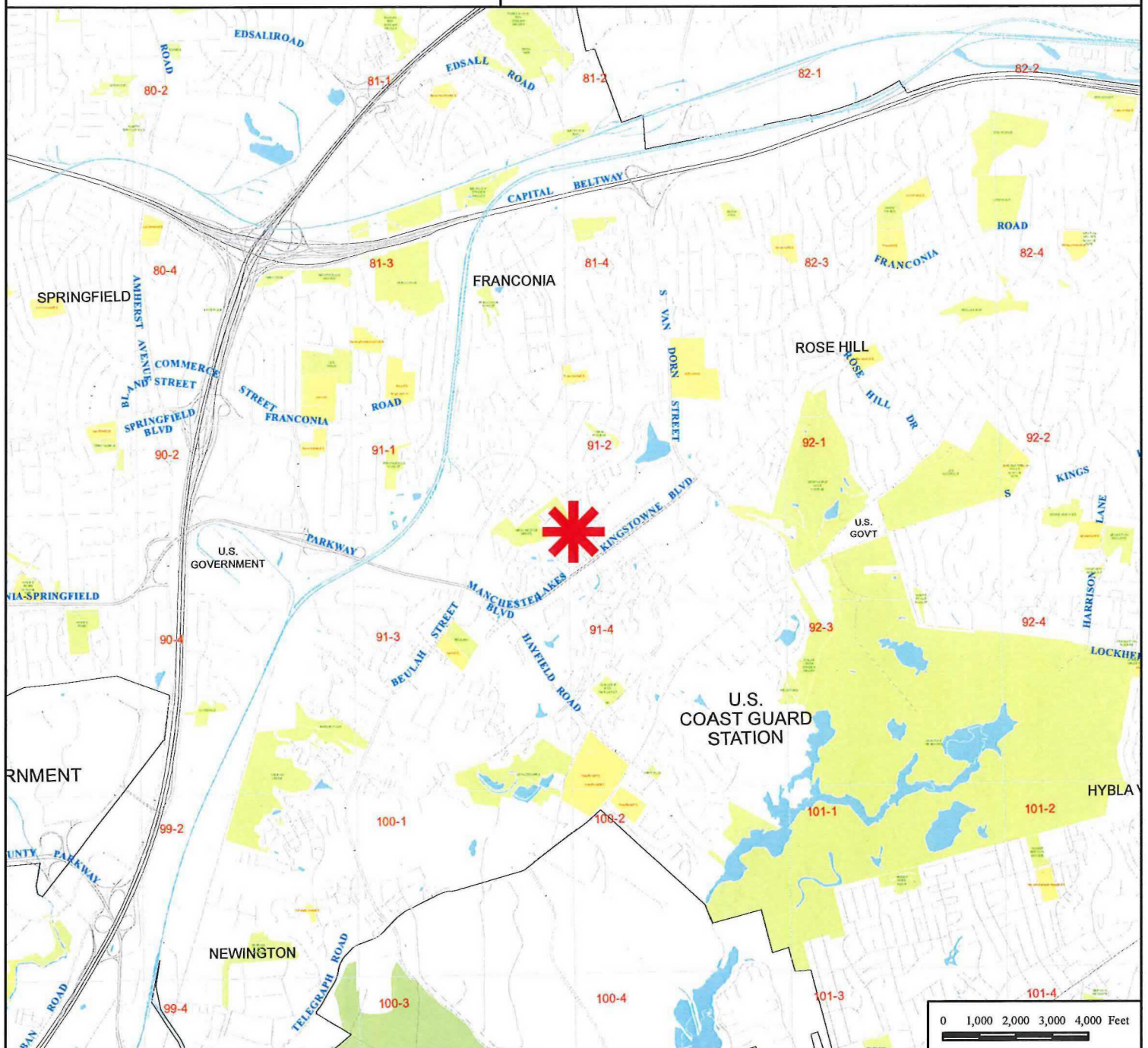
Special Exception

SE 2015-LE-004



Applicant: FATMA RIAHI, FATMA'S PLAY HOUSE
Accepted: 02/11/2015
Proposed: HOME CHILD CARE FACILITY
Area: 1560 SF OF LAND; DISTRICT - LEE
Zoning Dist Sect: 06-0105
Located: 6812 ERICKA AVENUE, ALEXANDRIA, VA 22310

Zoning: PDH- 8
Plan Area: 4,
Overlay Dist: NR
Map Ref Num: 091-2- /13/ /0056



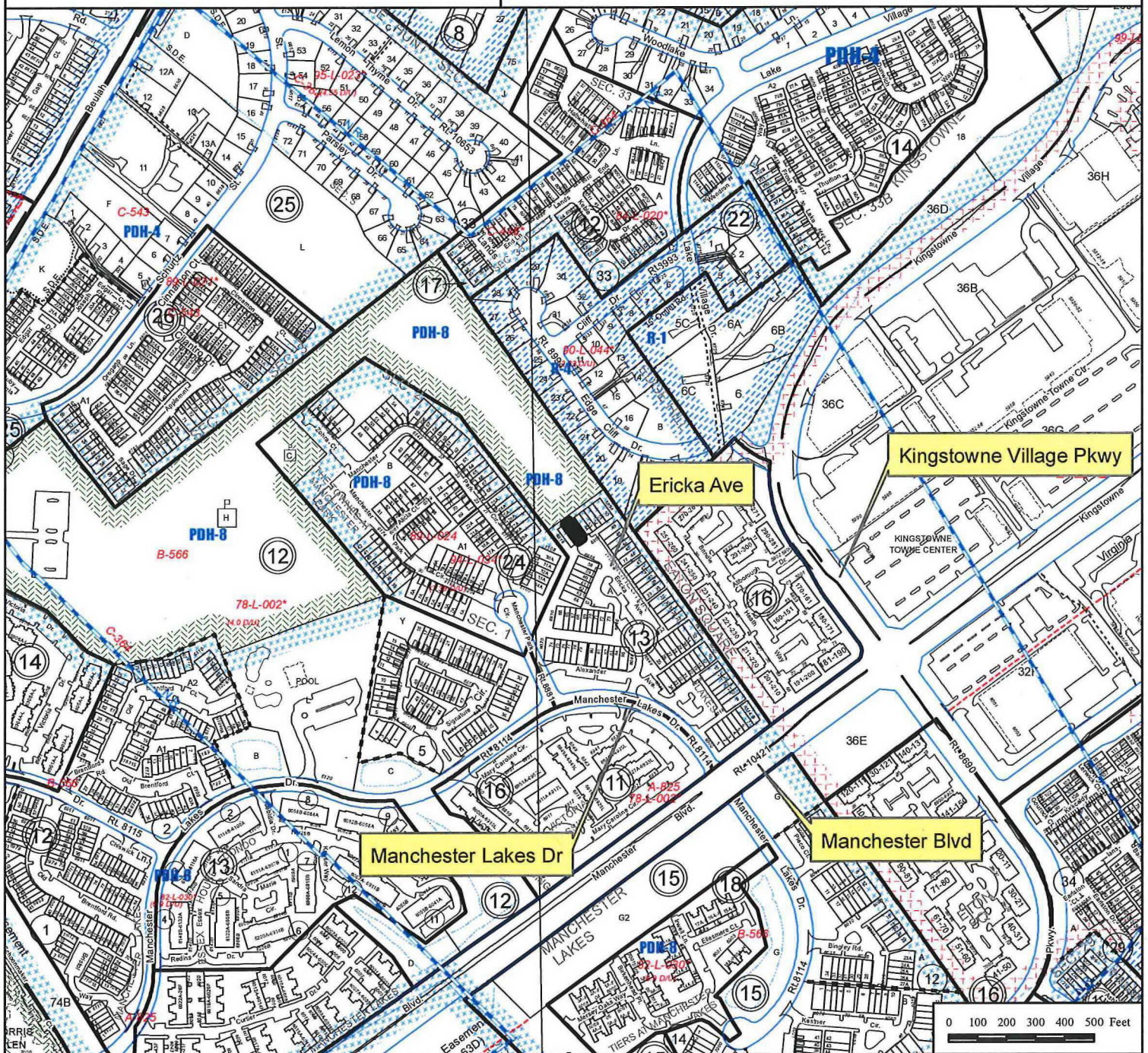
Special Exception

SE 2015-LE-004

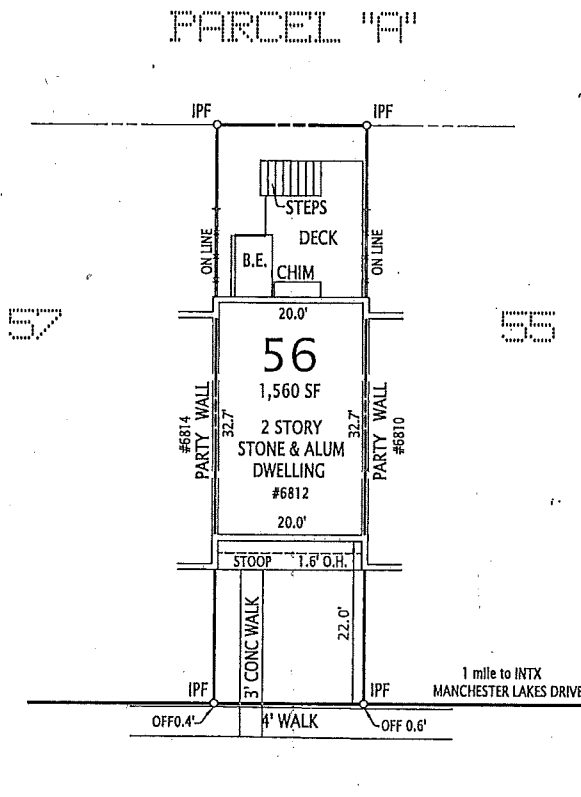
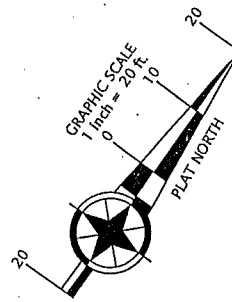


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Zoning: PDH- 8
Plan Area: 4,
Overlay Dist: NR
Map Ref Num: 091-2- /13/ /0056



- NOTES: 1. FENCES ARE FRAME.
2. UTILITIES ARE UNDERGROUND.
3. AC IS UNDER THE DECK.



ERICKA AVENUE
(PRIVATE STREET)
PARCEL "A"

PLAT
SHOWING HOUSE LOCATION ON
LOT 56, NEIGHBORHOOD 6
MANCHESTER LAKES

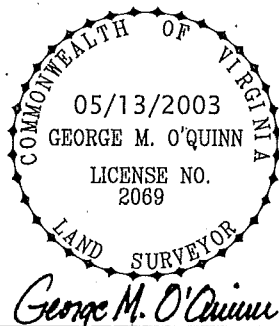
(DEED BOOK 7170, PAGE 1945)
FAIRFAX COUNTY, VIRGINIA
LEE DISTRICT

SCALE: 1" = 20' MAY 13, 2003

RECEIVED
Department of Planning & Zoning
DEC 29 2014
Zoning Evaluation Division

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.
A TITLE REPORT WAS NOT FURNISHED.
NO CORNER MARKERS SET.



CASE NAME:
OLIVER ~ RIAHI
VIRGINIA SETTLEMENT GROUP, L.C.

DOMINION SURVEYORS, INC.
8808-H PEAR TREE VILLAGE COURT
ALEXANDRIA, VIRGINIA 22309
703-619-6555
FAX 703-799-6412

DESCRIPTION OF THE APPLICATION

The applicant requests approval of a Special Exception (SE) to operate a home child care for up to 12 children, at any one time, in a single-family attached dwelling, with up to two assistants. Without SE approval, the applicant would be limited to a maximum of five children at any one time and one non-resident assistant.



Figure 1: Subject Property

The 1,560-square foot subject property is located at 6812 Ericka Avenue in Neighborhood 6 of Manchester Lakes. Ericka Avenue is a private street that connects to Manchester Lakes Drive, a public street, that leads to Manchester Boulevard/Kingstowne Boulevard. Kingstowne Towne Center is located approximately 1,000 feet to the east of the subject property. The dwelling does not contain a garage. Rather, the applicant has two assigned parking spaces. One of the spaces is located directly in front of the townhouse, in the adjoining surface parking lot. The second space is located approximately 150 feet away, in front of the row of townhouses located to the southwest. Guest parking spaces are not located in the vicinity of the subject property.

The subject property backs onto a large community open space. The southernmost half acre of this open space, the portion that adjoins the row of townhouses that includes the subject property, is maintained as a turfed area. The subject property and the surrounding development are zoned PDH-8 and Natural Resources Overlay (NR).

Details about the application include the following:

- The applicant holds a State license as a care provider for five children, two months to five years of age. The license is valid through February 25, 2016. The applicant does not have a County license as a care provide for five children. Should this special exception be denied and the home child care facility be continued as a by-right use for a maximum of five children, the applicant will need to obtain the requisite County license.
- The child care facility is currently caring for five children, six months to four years in age, with the applicant as the sole care provider.
- With SE approval, the applicant intends to upgrade the State license to care for a maximum of 12 children with up to two assistants, depending on the ages of the children.
- The current/proposed hours of operation are/will be 7:00 a.m. to 5:30 p.m.
- Available parking includes the two spaces assigned to the townhouse. (During the drop-off and pick-up hours of the child care facility, the applicant leaves the townhouse's two assigned parking spaces vacant so as to be available to parents.)
- Supervised outdoor play is provided in the front yard and in the open space lawn area adjoining the backyard. No child care activities occur on the townhouse's backyard deck. The area below the deck is not developed as a patio or habitable space.
- Child care activities (playing, story listening, singing, and napping) primarily take place in the walk-out basement. Snacks and meals are served upstairs, in the main-level kitchen.

The proposed development conditions, applicant's statement of justification and file photographs, and affidavit are contained in Appendices 1 to 3, respectively.

BACKGROUND

The subject property is located in Manchester Lakes, which was approved pursuant to RZ 82-L-030 on October 25, 1982. The approved development plan and proffers do not speak to the issue of home child care uses; accordingly, SE approval is required to exceed the by-right limitation. The townhouse was constructed in 1991 under Building Permit No. 91037B0620, passing final inspection on September 30, 1991. A separate building permit, No. 93138B0050, was approved for the second floor 15 x 18 foot rear deck on May 18, 1993. The deck passed final inspection on July 14, 1993.

The townhouse development is under the purview of two Homeowners Associations (HOAs). Both the neighborhood HOA, Manchester Crossing, and the umbrella HOA, Manchester Lakes Master Association, have provided letters approving the home child care facility. The Manchester Lakes Master Association stipulated that its approval was limited to a facility with no more than eight children with one additional assistant employee and no usage of the common area facilities of the Master Association. These letters have been provided in Appendix 7.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area IV, Rose Hill Planning District,
RH 04 – Lehigh Community Planning Sector
Plan Map: Residential, 3-4 du/ac
Text: The text does not address home child care uses.

Zoning Inspections Branch Analysis (Appendix 4)

A site visit with a zoning inspector was conducted on March 24, 2015. Staff observed that toys were being stored within 36 inches of the electrical service panel and the hot water heater. Staff requested that the applicant remove the items and provide photographs demonstrating that the area had been cleared. The applicant had cleared those areas and has sent the requested photographs. (The photos are attached as part of Appendix 4.)

Other than the equipment clearance issue, no other deficiencies were observed by staff.

Transportation Analysis (Appendix 5)

The neighborhood is accessed from Manchester Lakes Drive. The applicant envisions that drop-off times for most of the children will be staggered from 7:00 and 9:30 a.m., with pick-up between 4:00 and 5:30 p.m.

As with many home child care applications involving townhomes, the applicant has two assigned parking spaces. However, only one of the spaces is located in front of the applicant's townhome and the other is located in front of another row of townhouses, not visible from the subject property. Additionally, there are no nearby guest parking spaces. The nearest street parking is along Manchester Lakes Drive, approximately 500 feet away. The home child care facility has been operating without causing undue parking issues. However, given the limited parking, staff is recommending that the maximum number of children permitted at any one time be limited to eight.

Staff finds that if the home child care is limited to a maximum of eight children, the use will not be hazardous or conflict with the existing and anticipated traffic in the

neighborhood and that there will be adequate parking to accommodate the proposed use. The applicant has been informed of staff's recommended limitation and concurs.

Zoning Ordinance Provisions (Appendix 6)

PDH-8 District (Sect. 6-100)

The townhouse was constructed in 1991 in accordance with the approved FDP and thereby conforms to the applicable PDH-8 regulations. No additional structures or paved areas were observed on the application property.

Natural Resources Overlay District (Sect. 7-600)

The purpose and intent of the Natural Resource Overlay District is: to acknowledge that natural resources exist in the County; to recognize that natural resource extraction operations constitute a significant potential impact on the pattern of development in nearby areas; and to require a special permit for the extraction of natural resources in the County. The overlay district has no applicability on this application.

SE Standards

Sect. 10-103 of the Zoning Ordinance provides that a home child care facility with more than five children in a single-family attached dwelling may be permitted in accordance with the provisions of Part 3 of Article 8, Special Permits. That section classifies home child care facilities as a Group 3, Institutional use. Sect. 6-105 for Planned Development Districts specifies that a Group or Category use may be permitted with the approval of a Special Exception when such a use is not specifically designated on an approved final development plan (FDP). Since home child care uses are not provided for on the approved FDP for this property, this Special Exception application is required to satisfy the provisions of the General Standards for Special Exceptions (Sect. 9-006), Standards for all Group 3 Uses (Sect. 8-303), Additional Standards for Home Child Care Facilities (Sect. 8-305), and Use Limitations (Paragraph 6 of of Sect. 10-103).

General Standards for Special Exceptions (Sect. 9-006)

Standards 1 and 2 <i>Comprehensive Plan/Zoning District</i>	Staff finds that the proposed use, as conditioned, is in harmony with the Comprehensive Plan and the general purpose and intent of the PDH-8 Zoning District.
Standard 3 <i>Adjacent Development</i>	No construction is proposed with this application. Staff finds that the use will not affect the use or development of neighboring properties.
Standard 4 <i>Pedestrian/Vehicular Traffic</i>	Staff finds that the proposed use, as conditioned, will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.
Standard 5 <i>Landscaping/Screening</i>	No additional landscaping is required for the proposed use.
Standard 6 <i>Open Space</i>	The PDH-8 District requires 25% of the gross area of the site to be open space. The FDP that governs the subject property meets this requirement.

Standard 7 <i>Utilities, Drainage, Parking, Loading</i>	This application does not affect the provision of adequate utilities and drainage. However, staff is concerned that the applicant's request for 12 children and two assistants may adversely impact parking in the community. Therefore, staff is recommending that the home child care facility be limited to a maximum of eight children at any one time. The number of assistants, a factor dependant on the ages of the children, must comply with State requirements. With a maximum of eight children, staff feels this standard regarding provision of adequate parking can be satisfied.
Standard 8 <i>Signs</i>	Sect. 10-103 of the Zoning Ordinance does not permit signs for home child care facilities.

Standards for all Group 3 Uses (Sect. 8-303)

Standard 1 <i>Lot Size and Bulk</i>	No site improvements are proposed. The property would continue to comply with the lot size and bulk regulations for the PDH-8 District as provided for with the approved FDP.
Standard 2 <i>Performance Standards</i>	The use complies with the performance standards set forth in Article 14.
Standard 3 <i>Site Plan</i>	Home child care facilities are not subject to Article 17, Site Plans.

Additional Standards for Home Child Care Facilities (Sect. 8-305)

Standard 1 <i>Max. 12 Children; Approval of more than one nonresident person</i>	As discussed above, staff has determined that the applicant's request for 12 children and two assistants may adversely impact parking in the community. Therefore, staff is recommending that the home child care facility be limited to a maximum of eight children at any one time.
Standard 2 <i>Access and Parking</i>	Staff finds that access and parking will be sufficient to accommodate the use, if the maximum number of children for the home child care facility is limited to eight at any one time.
Standard 3 <i>Landscaping/Screening</i>	Staff finds that no additional landscaping is required for this location.
Standard 4 <i>Submission Requirements</i>	The submission requirements allow the submission of a house location survey in lieu of the SE plat.
Standard 5 <i>Code of Virginia: Title 63.2, Chapter 17</i>	Chapter 30 of the Code of the County of Fairfax addresses home child care facilities and Title 63.2, Chapter 17 of the Code of Virginia addresses licensing and registration procedures. The applicant currently has a State license for five children. If this SE is granted by the County, the applicant must apply for the appropriate license from the State in order to increase the number of children. Staff is recommending a condition that limits the number of children on-site to five until the applicant receives approval of a state-issued family day home license that permits additional children up to eight.

Use Limitations (Sect. 10-103, Paragraph 6)

Part A <i>Max. Children</i>	This application requests approval for 12 children in a single-family attached dwelling. As discussed above, staff has recommended that a maximum of eight children be permitted under this special exception due to parking concerns. The applicant has agreed to the maximum of eight children.
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Part B <i>Licensed provider/ primary residence</i>	The applicant currently has a State license as a care provider for five children. If this SE is granted by the County, the applicant must apply for the appropriate license from the State in order to increase the number of children up to eight. The dwelling is her primary residence.
Part C <i>No exterior evidence except play equipment</i>	Staff finds there is no exterior evidence of the home child care facility.
Part D <i>Nonresident person</i>	This application requests approval for two nonresident employees to be involved during the hours of 7:00 a.m. to 6:00 p.m. Should the SE be granted by the County, the required number of assistants will be determined by State provisions that reflect the ages of the children. In any case, under this SE, a maximum of two nonresident employees would be permitted to assist at the home child care facility.
Part E <i>Primary residence of nonresident person</i>	The dwelling is the primary residence of the home child care provider.
Part F <i>Code of Virginia: Title 63.2, Chapter 17</i>	Chapter 30 of the Code of the County of Fairfax addresses home child care facilities and Title 63.2, Chapter 17 of the Code of Virginia addresses licensing and registration procedures. The applicant currently has a State license. If this SE is granted by the County, the applicant can apply for the a license from the State that allows for the care of more than five children. Staff is recommending a condition that limits the number of children on-site to five until the applicant receives approval of a state-issued family day home license that permits additional children.
Part G <i>Increase in children or nonresident person</i>	The maximum number of children permitted by-right is five in an attached single-family dwelling, and can be increased to up to 12 with SE approval. However, given parking limitations, staff is recommending that the SE permit a maximum of eight children at any one time. The applicant concurs with this recommendation.

CONCLUSION AND RECOMMENDATION

In staff's opinion, a home child care facility limited to no more than eight children at any one time on the subject property would not adversely impact the site or neighboring properties. Staff finds that the application is in harmony with the Comprehensive Plan and conforms to all applicable Zoning Ordinance provisions.

Staff recommends approval of SE 2015-LE-004, subject to development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proposed Development Conditions
2. Statement of Justification and File Photographs
3. Affidavit
4. Zoning Inspections Branch Review
5. Transportation Analysis
6. Applicable Zoning Ordinance Provisions
7. Homeowners Association Letters
8. Glossary of Terms

Proposed Development Conditions**SE 2015-LE-004****September 16, 2015**

If it is the intent of the Board of Supervisors to approve SE 2015-LE-004 located at 6812 Ericka Avenue, Tax Map 91-2 ((13)) 56, for a home child care facility of up to eight children, pursuant to Sect. 6-105 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted only for the home child care use as indicated on the special exception plat approved with the application, entitled, "Plat Showing House Location on Lot 56, Neighborhood 6, Manchester Lakes", prepared by Dominion Surveyors, Inc., and dated May 13, 2003, as qualified by these development conditions.
2. A copy of the special exception conditions shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
3. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed eight. The maximum number of children on site at any one time shall not exceed five unless and until the applicant receives approval of a state-issued family day home license that permits the additional children.
4. The hours of operation for the home child care facility shall not exceed 7:00 a.m. to 6:00 p.m., Monday through Friday.
5. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility. The hours of the non-resident assistants are limited to 7:00 a.m. to 6:00 p.m.
6. The dwelling that contains the home child care facility shall be the primary residence of the provider.
7. There shall be no signage associated with the home child care facility.
8. All pick-up and drop-off of children shall take place in the townhome's assigned parking spaces, which shall be reserved exclusively for that purpose during hours of operation of the home child care facility. Arrival and departure of children shall be staggered to ensure that parking will be available to accommodate pick-up/drop-off of children.

9. The approval of the use is contingent on the applicant's continued right to utilize the parking spaces necessary for the operation of the home child care facility.
10. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number of children being cared for at the home child care facility.
11. All outdoor play equipment shall conform to all applicable state regulations and standards.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect. 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above.

10 December 2014

To whom it may concern,

My name is Fatma Riahi, I am writing to request a special permit for my in-home daycare Fatma's Play House. I have operated the daycare at this location since 2003. Please find below the requested information. If additional information is necessary, please do not hesitate to contact me.

- A. The daycare is open 7:00am-5:30pm Monday- Friday.
- B. The estimation for the number of children would be 8 with the largest number present at any one time being 12.
- C. Depending on the age group of the children attending the day care, there may be up to 2 full-time helpers employed.
- D. Children come typically one at a time between 7 and 9:30 and pick up generally begins at 4:00 and typically 3 children are picked up at 5:30.
- E. Most of the children come from outside of the neighborhood but there have also been children that live within the neighborhood. All the children live 15 miles of the daycare.
- F. Parents get to the daycare with their own personal transportation and they may park in the private, assigned parking space directly in front of my house.
- G. The dwelling is a three-story townhome. The basement and main level will be used for the daycare, the total square footage for the combined two floors is 1200sq.ft. Please see rough floor plan on attached page.
- H. The children are not allowed to play on the back deck, but they are given supervised play time outside in the open common space behind the townhomes weather permitting. In addition to the space behind the townhomes, the children also may ride tricycles, take dollies in strollers, or play cars on the front sidewalk just in front of the townhome. Additionally when the weather is very nice, the children may go for a walk in the neighborhood or to the local park in Manchester Lakes, a few blocks away.
- I. My neighborhood does have a homeowner's association but they do not require approval for an in-home daycare.

Sincerely,
Fatma Riahi

RECEIVED
Department of Planning & Zoning

DEC 29 2014

Zoning Evaluation Division



County of Fairfax, Virginia

MEMORANDUM

Office of the County Attorney
 Suite 549, 12000 Government Center Parkway
 Fairfax, Virginia 22035-0064
 Phone: (703) 324-2421; Fax: (703) 324-2665
www.fairfaxcounty.gov

DATE: May 27, 2015

TO: Bob Katai, Staff Coordinator
 Zoning Evaluation Division
 Department of Planning and Zoning

FROM: Jo Ellen Groves, Paralegal *JEG/pok*
 Office of the County Attorney

RECEIVED
 Department of Planning & Zoning
 MAY 27 2015
 Zoning Evaluation Division

SUBJECT: Affidavit
 Application No. SE 2015-LE-004
 Applicant: Fatma Riahi
 PC Hearing Date: 6/17/15
 BOS Hearing Date: 7/28/15

REF.: 128491

Attached is an affidavit which has been approved by the Office of the County Attorney for the referenced case. Please include this affidavit dated 5/22/15, which bears my initials and is numbered 128491, when you prepare the staff report.

Thank you for your cooperation.

Attachment

cc: (w/attach) Domenic Scavuzzo, Planning Technician I (Sent via e-mail)
 Zoning Evaluation Division
 Department of Planning and Zoning



COUNTY OF FAIRFAX 128491
Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035 (703) 324-1290, TTY 711
www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: SE 2015-LE-004
(Staff will assign)

RECEIVED
Department of Planning & Zoning

FEB 09 2015

APPLICATION FOR A SPECIAL EXCEPTION

Zoning Evaluation Division

(PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	NAME	Fatma Riahi, Fatma's Play House 2/10/15 dlp	
	MAILING ADDRESS	6812 Ericka Avenue, Alexandria, VA 22318	
	PHONE HOME (703)	922-0622	WORK ()
	PHONE MOBILE (571)	276-6623	
PROPERTY INFORMATION	PROPERTY ADDRESS	6812 Ericka Avenue, Alexandria, VA 22318	
	TAX MAP NO.	0912 13 0056	SIZE (ACRES/SQ FT) 1,560 Sq. Ft.
	ZONING DISTRICT	PDH-8 AND NR	MAGISTERIAL DISTRICT Lee
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION:		
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION	6-105	
	PROPOSED USE	Home Child Care Facility	
AGENT/CONTACT INFORMATION	NAME	Fatma Riahi	
	MAILING ADDRESS	6812 Ericka Avenue, Alexandria, VA 22310	
	PHONE NUMBER	HOME 703-922-0622	WORK
	PHONE NUMBER	MOBILE 571-276-6623	
MAILING	Send all correspondence to (check one): <input checked="" type="checkbox"/> Applicant -or- <input type="checkbox"/> Agent/Contact		
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p> <p>Fatma Riahi TYPE/PRINT NAME OF APPLICANT/AGENT</p> <p><i>Fatma Riahi</i> SIGNATURE OF APPLICANT/AGENT</p>			

DO NOT WRITE IN THIS SPACE

Date application accepted: February 11, 2015

Application Fee Paid: \$ 435.00

Application No.(s): SE 2015-LE-004
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 05/22/15
 (enter date affidavit is notarized)

I, FATMA Riad Lick/D/A, do hereby state that I am an
 (enter name of applicant or authorized agent)

Fatmas play House

(check one) ☒ applicant
☐ applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE**,** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
<i>Fatma Riad</i> <i>d/B/A</i> <i>Fatmas play House</i>	<i>6812 Ericka AVE</i> <i>Alexandria, VA 22310</i>	<i>Applicant/</i> <i>Title owner</i>

(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): SE 2015-LE-004
(county-assigned application number(s), to be entered by County Staff)

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 05/22/15
(enter date affidavit is notarized)

128491

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

N/A

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

None

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): SE 2015-LE-004
(county-assigned application number(s), to be entered by County Staff)

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 05/22/19
(enter date affidavit is notarized)

128491

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)

N/A

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner**, **Limited Partner**, or **General and Limited Partner**)

NONE

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): SE 2015-LE-004
(county-assigned application number(s), to be entered by County Staff)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 05/22/15
(enter date affidavit is notarized)

128491

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

None

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): SE 2015-LE-004
(county-assigned application number(s), to be entered by County Staff)

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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 05/22/15
(enter date affidavit is notarized)

128491

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

Fatma Rahi

☒ Applicant

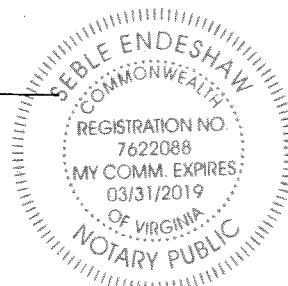
☐ Applicant's Authorized Agent

FATMA Rahi
(type or print first name, middle initial, last name, and title of signer)

Subscribed and sworn to before me this 22nd day of May 2015, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: March 31st, 2019

[Signature]
Notary Public





County of Fairfax, Virginia

MEMORANDUM

Date: March 25, 2015

To: Bobby Katai, Planner
Zoning Evaluation Division

From: Amy Moxley
Senior Zoning Inspector
Zoning Inspection Branch

Subject: Home Child Care – SE 2015-LE-004

Applicant: Fatma Riahi,
6812 Ericka Ave, Alexandria, Virginia 22310
Manchester Lakes, Neighborhood 6, Lot 56
Tax Map# 91-2 ((13)) 56
Zoning District: PDH-8
Magisterial District: Lee
ZIB # 2015-0132
Date of Inspection: March 24, 2015

KEY: A “✓” mark in a box indicates that the item was deficient. An unmarked box indicates that no violation was found.

- ☐ 1. An operable smoke alarm shall be provided outside of each sleeping area, with at least one such device on each floor.
- ☐ 2. All exit stairs, interior or exterior, shall be in good repair and shall be provided with handrails and guard rails as required by the Virginia Uniform Statewide Building Code.
- ☐ 3. All egress pathway and exit doors shall be unlocked in the direction of egress and free from obstructions that would prevent their use, including debris, storage, and accumulations of snow and ice.

☐4. Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.

☐5. Extension cords, temporary wiring, and flexible cords shall not be substituted for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings, or floors, or under doors or floor coverings, or be subject to environmental or physical damage.

☒6. A working space of not less than 30 inches in width, 36 inches in depth, and 78 inches in height shall be provided in front of the electrical service equipment. Where the electrical service equipment is wider than 30 inches, the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space.

Clearance of 36" must be maintained the electric service panel. At the time of inspection this space was being utilized for storage. Applicant will remove items and provide photos demonstrating the area has been cleared.

Update 5/18/15: Applicant removed items & provided photos to Bob Katai. Applicant now complies with the clearance requirement.

☒7. Other Building Code Issues

Clearance of 36" must be maintained around furnace and hot water heater. At the time of inspection this space was being utilized for storage. Applicant will remove storage and provide photos demonstrating the area has been cleared.

Update 5/18/15: Applicant removed storage items & provided photos to Bob Katai. Applicant now complies with the clearance requirement.

☐8. Structures comply with the Zoning Ordinance.



Toy Storage Clearance from Electrical Panel



Toy Storage Clearance from Water Heater




County of Fairfax, Virginia

MEMORANDUM

DATE: March 30, 2015

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Michael A. Davis, Acting Chief 
Site Analysis Section
Department of Transportation

FILE: 3-5 (SE 2015-LE-004)

SUBJECT: Transportation Impact

REFERENCE: SE 2015-LE-004 Fatma Riahi – Fatma's Play House
Land Identification Map: 91-2 ((13)) 56

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on the information made available to this office dated December 10, 2014. The application is to permit a home child care center for up to 12 children. Hours of operation are 7 a.m. to 5:30 p.m. Monday through Friday. There may be up to two assistants depending upon the ages of the children. The applicant has two assigned parking spaces; however, only one of the spaces is in front of the townhouse. There appears to be no guest parking in the vicinity. Extra parking is some distance away on Manchester Lakes Drive. The applicant has a state license for 5 children.

Because parking in this area is limited and the applicant has only one assigned space in front of her townhouse, this department believes the number of children allowed in the daycare should be limited to 8.

MAD/LAH/lah

9-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

8-303 Standards for all Group 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

8-305 Additional Standards for Home Child Care Facilities

1. The number of children that may be cared for in a home child care facility may exceed the number of children permitted under Par. 6A of Sect. 10-103, but in no event shall the maximum number of children permitted at any one time exceed twelve (12), excluding the provider's own children. The BZA may also allow more than one nonresident person to be involved with the use. Except as described above, home child care facilities shall also be subject to the use limitations of Par. 6 of Sect. 10-103.
2. The BZA shall review access to the site and all existing and/or proposed parking, including but not limited to the availability of on-street parking and/or alternative drop off and pick up areas located in proximity to the use, to determine if such parking is sufficient. The BZA may require the provision of additional off-street parking spaces based on the maximum number of vehicles expected to be on site at any one time and such parking shall be in addition to the requirement for the dwelling unit.
3. The provisions of Article 13 shall not apply to home child care facilities, however, the BZA may require the provision of landscaping and screening based on the specifics of each application.
4. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plan drawn to scale. The plan, which may be prepared by the applicant, shall contain the following information:
 - A. The dimensions, boundary lines and area of the lot or parcel.
 - B. The location, dimensions and height of any building, structure or addition, whether existing or proposed.
 - C. The distance from all property lines to the existing or proposed building, structure or addition, shown to the nearest foot.
 - D. The dimensions and size of all outdoor recreation space and the location of such space in relation to all lot lines.
5. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

10-103 Use Limitations

6. The following use limitations shall apply to home child care facilities:

- A. The maximum number of children permitted at any one time shall be as follows:
 - (1) Seven (7) when such facility is located in a single family detached dwelling.
 - (2) Five (5) when such facility is located in a single family attached, multiple family or mobile home dwelling.The maximum number of children specified above shall not include the provider's own children.
- B. A home child care facility shall be operated by the licensed or permitted home child care provider within the dwelling that is the primary residence of such provider, and except for emergency situations, such provider shall be on the premises while the home child care facility is in operation. Notwithstanding the above, a substitute care provider may operate a home child care facility in the absence of the provider for a maximum of 240 hours per calendar year.
- C. There shall be no exterior evidence, including signs, that the property is used in any way other than as a dwelling, except that play equipment and other accessory uses and structures permitted by this Part shall be allowed.
- D. In addition to the persons who use the dwelling as their primary residence, one (1) nonresident person, whether paid or not for their services, may be involved in the home child care use on the property, provided that there is only one (1) such person on the property at any one time and the hours of such attendance shall be limited to 7:00 AM to 6:00 PM, Monday through Friday.
- E. Notwithstanding the provisions of Par. B above, a child care provider may care for the maximum number of children permitted in Par. A above in a dwelling other than the provider's own, as long as the dwelling is the primary residence of at least one of the children being cared for by the provider. Such child care provider shall comprise the one nonresident person allowed under Par. D above.
- F. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.
- G. An increase in the number of children permitted under Par. A above or the involvement of more than one nonresident person as permitted under Par. D above may be permitted in accordance with the provisions of Part 3 of Article 8.

MANCHESTER CROSSING HOA

Managed by: Liberty Management Corporation

5252 Cherokee Avenue, Suite 215,

Alexandria, VA 22312

Tel: 703-914-2100 Fax: 703-914-1624

Christa@LMC2100.com

June 17, 2015

Fatma Riahi
6812 Ericka Ave
Alexandria, VA 22310

Dear Fatma Riahi,

In response to your letter dated June 6, 2015, we approve your request provided that your daycare operation is in compliance with all of the applicable laws, health regulations, zoning and use limitations in the City of Alexandria, County of Fairfax and the State of Virginia.

Please feel free to contact our office with any questions.

Sincerely,
Liberty Management Corporation
Agent for: Manchester Crossing HOA



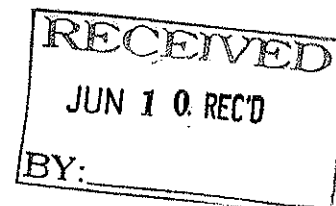
Christa Fitch, CMCA®
Community Manager

Fatma Riahi

6812 Ericka Avenue • Alexandria, Va 22310 • Home: 703.922.0622 • Cell: 571.276.6623

6 June 2015

Manchester Crossing Board of Directors
Alexandria, Virginia



Dear Manchester Crossing Board of Directors,

My name is Fatma Riahi and I own a beautiful townhome in Manchester Crossing Subdivision of the greater Manchester Lake Community. I run a in home daycare titled Fatma's Play House within my townhome. I have been in business at my townhome since 2003 when I purchased the property. Prior to that I ran the same business beginning in 1999 at a previous address, 6013 Wood Lake Lane, Alexandria, Va 22315. Currently, I am licensed to have 5 children within my daycare. I have enjoyed and successfully managed having 5 children consistently for the past 12 years without any problems. I absolutely love what I do and enjoy every minute of caring for children, as I have never been blessed with any of my own. I have decided that I would like to increase the number of children that I care for from 5 children to 8 children. With 8 children I am going to hire an assistant to work with me on a daily basis. I presently have one woman who helps me on occasion and she would be thrilled with the opportunity for a full time position as my assistant.

My townhome is three levels, two of which I use for my daycare. The top level is reserved as my private bedrooms and the children do not have access to this space. The children may play on the main floor but most of their time is spent in the basement where I have many toys, education games, and their sleeping areas well laid out and organized. During pleasant weather, the children may also play, under supervision, in the front or back yard. I do not at any time take the children to the pool or to the playground as it would be too difficult for me to adequately and responsibly insure this safety in these public area.

I appreciate the consideration of the board in my request to increase the number of children that I have in my daycare. I have enjoyed being a member of our community over the past 12 years and hope that I have the opportunity to share my business and home with more children.

Sincerely,

Fatma Riahi

A handwritten signature in cursive script that reads "Fatma Riahi".



July 8, 2015

NOTICE: Home Daycare Fatma's Playhouse, Manchester Crossing

Ms. Riahi,

In response to the request stated in your letter dated 6 June, 2015, the Manchester Lakes Master Association (MLMA) Board of Directors, on July 6, 2015, approved the Home Day Care Request to be operated at 6812 Ericka Avenue, Alexandria, Virginia, 22310. Per the stated conditions, the Day Care may accommodate up to 8 children, with one additional assistant employee. At no time shall the clients of the Day Care enter upon and use the common area facilities of the Master Association.

The terms of this approval, in accordance with MLMA Declaration, section 6.4 apply to only this request at this address. This approval ends upon termination of the business and/or Sale of the property and is not transferable.

Regards,

Ms. Pamela Nickson,

President, Manchester Lakes Master Association

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		